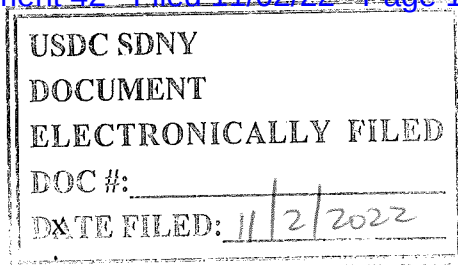


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

- v. -

KAYF DEVAUGHN,

Defendant.

: CONSENT PRELIMINARY ORDER  
OF FORFEITURE/  
: MONEY JUDGMENT  
: 21 Cr. 308 (NSR)

X

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WHEREAS, on or about May 6, 2021, KAYF DEVAUGHN (the “Defendant”), was charged in an Indictment, 21 Cr. 308 (NSR) (the “Indictment”), with possessing with intent to distribute 40 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B) (Count One); and with possessing a firearm during and in relation to the drug trafficking crime specified in Count One (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853(a), (a) any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of such offenses, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses;

WHEREAS, on or about April 13, 2022, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit, pursuant to Title 21, United States Code, Section 853(a): any property constituting, or derived from, any proceeds obtained directly or indirectly as the result of said offense, and any and all property used, or intended to be used, to commit or facilitate the commission of said offense,

including a sum of money representing the amount of proceeds traceable to the commission of said offense;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$4,308 in United States currency representing the amount of property involved in the offense charged in Count One of the Indictment;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Josiah Pertz of counsel, and the Defendant, and his counsel, Conor McNamara, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$4,308.00 in United States currency (the "Money Judgment"), representing the amount of property involved in the offense charged in Count One of the Indictment, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Tara La Morte, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

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9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

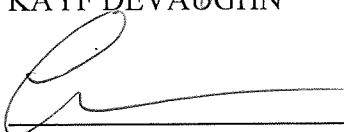
By: /s/ Josiah Pertz  
Josiah Pertz  
Assistant United States Attorney  
300 Quarropas Street  
White Plains, NY 10007  
(914) 993-1966

November 1, 2022  
DATE

KAYF DEVAUGHN


By:   
KAYF DEVAUGHN

11/2/22  
DATE

By:   
CONOR McNAMARA, ESQ.  
Attorney for Defendant

11/2/22  
DATE

SO ORDERED:

  
HONORABLE NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE

11/2/2022  
DATE